

REMARKS/ARGUMENTS

Claims 1-5 and 8-11 remain in this application. In order to more clearly define the present invention, the claims have been amended. No new matter is presented.

In particular, claim 1 has been amended to recite "A plant cultivating system," and these amendments to claim 1 are supported by Figs. 2-5, and by the entire context of the present specification, for example, by the following description of the present specification:

"in the cultivation method according to the present invention, . . . there is used a *system* which is utterly different from the conventional cultivation method" (page 21, lines 8 to 14) (emphasis added).

Claim 1 has also been amended to recite the inclusion of a "water tank." This amendment is supported by Figs. 2 to 5 of the present application and by the entire context of the present specification, for example, by the following description:

"In contrast, according to the cultivation method of the present invention . . . the plant-cultivating container can be immersed in a *water tank* for a long time" (page 20, lines 26 to 32)(emphasis added)

For the immersion of the plant cultivating container in the water of the water tank, the specification as filed recites that "the plant-cultivating container is in direct contact with water, such as water in a water tank" (page 23, lines 14-18) and for the level being at a level below the container opening, see Figs. 2 and 4 of the application as filed.

Claims 2-5 have been amended so that the language is consistent with that of amended claim 1. Claim 5 has further been amended to more clearly recite a "laminated" film. Support for this amendment can be found in the specification as filed at page 14, line 18 to page 15, line 3.

Claim 8 has been amended to include limitations similar to those of amended claim 1. Support may be found at page 20, lines 26-32, page 23, lines 14-18, and at Figs. 2 and 4. Claim 8 has further been amended to include a "plant-retaining support," Support for the "plant-retaining support" may be found in the specification as filed at page 15, lines 19-37.

Appn No. 10/647,076
Amdt date March 11, 2009
Reply to Office action of November 20, 2007

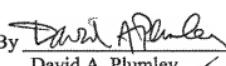
Claim 9 has been amended to recite a particular temperature range for a "rhizosphere of the plant." Support for the amendments to claims 9 may be found at page 18, lines 10 to 15 and page 19, lines 11 to 17 of the present specification.

Claims 10 and 11 have been amended for consistency of terminology with amended claim 1.

In the November 20, 2007 final Office action, claims 1-7 and 12 were rejected as obvious over Weder et al. in view of Schur, and in further view of Caldwell et al. Claims 8-11 were rejected as obvious over Sakai in view of Weder et al. and Schur, and in further view of Caldwell et al. Applicant requests reconsideration based on the amendments to the claims and the remarks submitted. Furthermore, with this response, applicant is simultaneously filing a Request for Continued Examination along with a request to suspend further prosecution for three months so that applicant can collect additional experimental evidence in support of the patentability of the present invention.

If there are any remaining questions, the examiner is asked to contact applicant's counsel at the number below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 

David A. Plumley
Reg. No. 37,208
626/795-9900

DAP/jhg

JHG PAS839959.1-*03/11/09 9:02 AM